

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

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|-------------------------|---|-------------------|
| KILLER JOE NEVADA, LLC, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:13-cv-226 |
| |) | (PHILLIPS/GUYTON) |
| DOES1-13, |) | |
| |) | |
| |) | |
| Defendants. |) | |

ORDER

This matter is before the Court on the Report and Recommendation filed by United States Magistrate Judge H. Bruce Guyton, pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02. [Doc. 5]. The Plaintiff in this case filed a Motion for Discovery Prior to Rule 26 Conference on April 24, 2013. [Doc. 3]. In reviewing the matter, Magistrate Judge Guyton determined, *sua sponte*, that the Eastern District of Tennessee is an improper venue for this matter; consequently, he recommends that the Court transfer this matter to a proper venue, specifically, the Western District of Tennessee. *Id.* The Honorable Thomas W. Phillips, United States District Judge, having reviewed the matter, is in complete agreement with the Magistrate Judge.

There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Accordingly, for the reasons stated in the Report and Recommendation [Doc. 5], the Clerk is **DIRECTED** to transfer this action to the United States District Court for the Western District of Tennessee.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips

United States District Judge